

OGC HAS REVIEWED.

LAW OFFICES OF
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RICHARD L. MERRICK
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EXECUTIVE 6644

December 9, 1952.

Lawrence R. Houston, Esq.,
General Counsel,
Central Intelligence Agency,
Washington 25, D. C.

Dear Mr. Houston:

25X1A This will acknowledge receipt of your letter dated 5 December 1952, 25X1A delivered by Mr. [REDACTED] concerning the status of Mr. [REDACTED], an employee of the Central Intelligence Agency. Reference also is made to conferences and telephone communications between us and with Mr. [REDACTED]. Efforts to reach you on the telephone today were unsuccessful, due to the exacting requirements of your duties.

25X1A [REDACTED] as informed me that it is the intention of the Agency to hold an informal hearing concerning [REDACTED] on Wednesday, 10 December, 1952. I have asked that this hearing be continued until Monday, 15 December 1952, or later, in order to permit me more fully to prepare to represent Mr. [REDACTED] as his designated representative under Section 14 of the Veterans' Preference Act. [REDACTED] advised me that he received word from you today that no extension of time would be made and that, because I have not been cleared by your Agency and for the reason that it is not customary, I will not be permitted to appear at the hearing as the designated representative or attorney for [REDACTED]. 25X1A

First, perhaps I should advise you that Mr. [REDACTED] is unwilling to submit his resignation under the conditions outlined in your letter. The time therein specified is considered unreasonably short in which to expect him to obtain other employment. There is no assurance or statement in your letter that, after his resignation should become effective if submitted, or even before, for that matter, your Agency would not effectually prevent his obtaining employment elsewhere in the Government service by refusal of proper clearance required to enable him to transfer.

Please consider this letter as a formal request, for the convenience of counsel to enable him properly to represent his client's interests as the designated representative under the Veterans' Preference Act, for a continuance of the hearing contemplated for a period of five days, or until 15 December 1952.

Also, please c25X1Ater this an application by the undersigned for clearance by the Agency in order that I may appear at the hearing as the designated representative of [REDACTED]. In this connection, permit me to say that I served in the Army of the United States during the First World War and was honorably discharged therefrom, and as a civilian on the legal staff of the Under Secretary of War for approximately 4½ years during the Second World War, during which time I handled many classified documents, including some which were classified as "Top Secret". I do not believe I can be considered a security risk.

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If your regulations do not permit my clearance, then in the alternative I ask that the hearing be held in a place where unclassified matters are handled. I understand that there are a number of rooms of this character available for the use of the Agency.

I regret that court and other pressing engagements, including a death and the attendant distractions incident thereto, have prevented me from sooner answering your letter of 5 December 1952. I have this date communicated the substance of this letter to Mr. [REDACTED] with the request that he advise you accordingly, which he has very kindly consented to do. His written communication, therefore, serves as a confirmation of what has transpired over the telephone.

25X1A

Permit me to thank you for your courtesy to me and to say that I regret that we have been unable to effect a settlement of the differences constituting the subject-matter of our correspondence and interviews.

Very truly yours,


Richard L. Merrick

RLM:ss